

# Virginia Poverty Law Center



## OVERVIEW OF SB1224 PURPOSE AND STRUCTURE

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progress

service

advocacy

impact

justice

community

Serving Virginia's legal aid system by providing advocacy, training, and litigation support on civil justice issues that affect low-income Virginians

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# VPLC



The statewide support center for legal aid in  
Virginia providing support in

*ADVOCACY*

*TRAINING*

*LITIGATION*

on the civil justice issues faced by  
low-income Virginians

# What's the problem?



- Poverty in Virginia is **CONCENTRATED**
- Housing Choice vouchers were designed to deconcentrate poverty by providing people receiving vouchers more mobility
- Many landlords in low poverty, high opportunity areas **DO NOT ACCEPT** renters with these vouchers, so people with the vouchers are often forced to remain in high poverty areas

# What impact does living in poverty have?



- Crime by youth



- Poor health outcomes



- Limited access to jobs



# Crime



- Living in poverty-stricken housing and poor neighborhoods has been demonstrated to be the most important factor in determining which youth are most likely to commit crimes



# Health outcomes



- Study showed living in high poverty:
  - Increased likelihood of OBESITY, DIABETES and MENTAL HEALTH problems



- MENTAL HEALTH ESPECIALLY POOR FOR ADOLESCENT GIRLS LIVING IN PROJECTS

# Access to Jobs



- Many jobs available to lower wage workers are located in low-poverty, high opportunity areas
- Job growth in areas where most voucher holders live in Virginia has been slow or nonexistent (*Examples: Richmond City, Portsmouth*)
- High job growth areas like Chesterfield and Virginia Beach are home to very few voucher holders

# What does SB1224 do?



- Prohibits landlords from refusing to rent to someone based solely on their SOURCE of FUNDS by adding protections based on source of funds to the Virginia Fair Housing law
- SOURCE of FUNDS includes child support, wages, social security , public assistance and housing subsidies
- Exception: If the tenancy is not approved by the Housing Authority within 10 days of the landlord's approval of the tenant, landlord is not obligated



# What is NOT prohibited by SB1224?



- Landlords will continue to have the right to do the following checks on prospective tenants:
  - CREDIT CHECK
  - CRIMINAL RECORDS CHECK
  - REFERENCES FROM PRIOR LANDLORDS
- SB1224 does NOT prohibit landlords from refusing to rent based on poor credit, bad references or criminal records

# How Housing Choice Vouchers Work



- Tenant applies for voucher at local housing authority
- If approved, housing authority issues 60 day search voucher
- Tenant finds landlord willing to accept voucher and tenant (tenant passes all checks)
- **Landlord sends housing authority request for approval of tenancy**
- Housing authority approves tenancy
- **Landlord and housing authority sign Housing Assistance Payment contract**
- Landlord and tenant sign lease, tenant pays security deposit
- Tenant pays portion of rent (30% of income) and housing authority pays balance directly to landlord

# What condition must the unit be in?



- The housing authority will inspect the unit to make sure it meets Housing Quality Standards
- HQS simply set forth what unit must have to be safe and habitable
- Under SB1224, if unit not approved as meeting HQS within 10 days of landlord's approval of tenant, landlord can refuse to rent to tenant with no liability

# What do the HQS require?



- Operational bathrooms
- Place to prepare, store and serve food
- Space and security must be adequate for family
- Heat; IF unit has AC is must work
- Adequate light and working electrical outlets
- Structure and materials must be sound
- Interior air free of hazardous pollutants
- Water supply free of contamination
- Compliance with federal law on lead based paint
- Access to unit
- Safe and sanitary site and conditions
- Working smoke detectors on each floor

# Who uses housing choice vouchers in Virginia?



- **Snapshot of voucher households in Virginia**
- Over 43,000 households in Virginia receive tenant-based vouchers.
- **Who do these vouchers go to in Virginia?**
- **20% go to elderly people**
- **42% go to disabled people**
- **50% go to households that include at least one minor child**
- 75% of the nonelderly, non-disabled people receiving vouchers are employed.
- *Source: HUD Residents Characteristic Report, July 2011-October 2012*



# States and nearby localities with SOF laws

- Connecticut
- Maine
- Massachusetts
- New Jersey
- North Dakota
- Oklahoma
- Oregon (to become effective July 2014)
- Vermont
- Counties in MD (Frederick, Howard, Montgomery, Prince Georges)
- Memphis, TN



# Thank You



- QUESTIONS???????

The Virginia Poverty Law Center is a non-profit committed to serve the needs of low-income Virginians. The work of the center is supported by individual and corporate donors and through lawyer's IOLTA accounts. If you would like to find out how to give to our general or specific efforts, please contact us at [donate@vplc.org](mailto:donate@vplc.org)